

Amendment No. 3 to SJR0044

Fowler
Signature of Sponsor

AMEND Senate Joint Resolution No. 44* <HB>

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting the following language:

The people have a right to hunt, fish, and harvest game, subject to such regulations and restrictions as prescribed by this constitution and general law. When reviewing such restrictions, a state court shall utilize a rational basis standard, as such standard has been defined by the courts through case law.

and by substituting the following:

The citizens of this state have a right to hunt, fish, and harvest game and fish subject to regulations and restrictions as authorized in accordance with Article XI, Section 13 of this constitution and pursuant to the state's obligation under its common law trust. Such regulations and restrictions shall carry with them the presumption of validity and courts reviewing such regulations and restrictions shall utilize a rational review basis standard, as such standard has been defined by the courts through case law. Nothing in the section shall alter the burden of proof requirements otherwise established by law for any challenge to a regulation or restriction relating to hunting, fishing, or the harvesting of game and fish. This section shall not be construed to abrogate any private property rights or the State's sovereignty over game and fish.